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NOTICE OF ALLOWANCE AND FEE(S) DUE

64064

7590

08/07/2009

ORTIZ & LOPEZ, PLLC

P.O. BOX 4484

ALBUQUERQUE, NM 87196-4484

EXAMINER

ELAHEE, MD S

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 08/07/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/887,492

06/22/2001

Luis M. Ortiz

ORTIZ-1001

7719

TITLE OF INVENTION: SYSTEMS, METHODS AND APPARATUSES FOR BROKERING DATA BETWEEN WIRELESS DEVICES AND DATA RENDERING DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/09/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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08/07/2009

**ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/09/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ELAHEE, MD S	2614	455-456100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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ART UNIT

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 617 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 617 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/887,492

Examiner

MD S. ELAHEE

Applicant(s)

ORTIZ, LUIS M.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/02/2009.
2. ☒ The allowed claim(s) is/are 1,2,7-11,14-17,19-23,30,89-92,94,97-100,105,106,110 and 111 (Rearranged claims are 1-30).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/MD S ELAHEE/
Primary Examiner, Art Unit 2614

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Luis Ortiz on 07/31/2009.

Claims 3, 18, 31, 88, 93, 107-109 and 112-117 were newly cancelled out.

Claims were amended as following:

1. **(Amended)** A method of brokering data between handheld wireless devices and publicly available data rendering devices with locations and capabilities not previously known to the handheld wireless devices or their users, comprising:

identifying data from a handheld wireless device (WD) for rendering at a publicly accessible data rendering device (DRD) located at a fixed, publicly accessible location not yet known to said WD or its user;

providing a request from said WD through a wireless telecommunications network supporting voice and data communications by said WD to a remote network resource for said remote network resource to locate at least one DRD, said at least one DRD further comprising at least one of a printer, a video monitor, an Internet Kiosk, a multimedia projector, or an ATM machine, said network resource further adapted to identify the location, rendering capabilities and operational status of at least one DRD in accordance with at least one of said WD's geographic location and a WD user profile associated with said WD;

said network resource identifying the location, rendering capabilities and operational status of at least one DRD based on at least one of said WD's location and said WD user profile;

said network resource providing said WD with location information for at least one publicly accessible DRD;

selecting a DRD with said WD;

at least one of said WD, said wireless telecommunications network and said network resource providing navigable directions on said WD to physically locate a DRD selected with said WD based on the geographic location of said WD; and

transferring said data at the request of said user of said WD to said DRD from ~~at least one of an email box or a~~ memory associated with said WD, wherein said data is transferred to said DRD for rendering and wherein said DRD renders said data after a passcode entered by said user is verified by said DRD.

2. The method of claim 1 including a step wherein said DRD renders the data only after a render command is provided to said DRD through said WD.

7. The method of claim 1 wherein the data is rendered by said DRD after said render command is provided by a WD user on a user interface associated with said DRD.

8. The method of claim 1 wherein the data is retrieved from a memory assigned to the WD user only after the WD user provides a passcode to said DRD.

9. The method of claim 8 wherein said passcode is provided to said DRD by the WD.

10. The method of claim 8 wherein said passcode is provided at a user interface associated with said DRD.

11. The method of claim 8 wherein said command includes decryption coding.

14. The method of claim 1 including a step wherein said network resource provides the WD with a passcode for use on an interface integrated with said DRD to cause said DRD to render the data.

15. **(Amended)** A method of brokering data between a wireless device (WD) and a publicly accessible_data rendering device (DRD), the DRD further comprising at least one of a printer, a video monitor, an Internet Kiosk, a multimedia projector, or an ATM machine, wherein the DRD is not assigned to the WD, the DRD's physical location is not known by the WD and its user, and the DRD is publicly accessible to all WD users, wherein a WD user performs the following steps at the WD:

- identifying data with the WD to render at a publicly accessible DRD;
- providing a DRD locator request with the WD to public communications network resources through a wireless cellular communications network supporting wireless voice and data communications by the WD, the DRD locator request being provided for said public communication network resources to find at least one publically accessible DRD located near the WD, the locator request further including WD geographic location information;

- receiving DRD location information and rendering capabilities at the WD for the at least one publicly accessible DRD located near the WD, wherein DRD location information is based on said WD geographic location information;

- selecting a DRD with the WD for rendering said data;
- providing directions to the WD to physically locate the DRD selected by the WD, said directions provided to the WD from at least one of the WD and the network resource based on the WD geographic location information;

- physically locating the DRD at the DRD's publicly accessible location; ~~and~~
- requesting at the WD that the data be transferred to the DRD through at least one of said public wireless cellular communications network and a short range wireless communications link with the DRD, wherein said data is transferred to said DRD for rendering; and

- entering a passcode to render the data, wherein said DRD renders said data after the passcode entered by said user is verified by said DRD.

16. The method of claim 15 wherein said data is transferred to said DRD from said public wireless communications network resources following the request at said WD.

17. The method of claim 16 wherein said public wireless communications network resources facilitates transfer of said data to said DRD from a memory associated with said WD.

19. **(Amended)** The method of claim 16 wherein said data is retrieved from a mailbox assigned to said WD only after a ~~a-said~~ passcode is provided to said DRD by said WD user.

20. The method of claim 19 wherein said passcode is provided to said DRD by said WD.

21. The method of claim 19 wherein said passcode is provided at a user interface associated with said DRD.

22. The method of claim 15 wherein said DRD renders data after a render command is provided to said DRD by said WD user.

23. **(Amended)** The method of claim 22 wherein said render command includes a ~~a-said~~ passcode.

30. **(Amended)** A method of brokering data between wireless devices and publicly accessible data rendering devices, comprising enabling a user of a wireless device to perform the following steps:

using a wireless device (WD) to request support through a wireless cellular telecommunications network to a remote server adapted to maintain location and capability information for data rendering devices, to locate at least one publicly

accessible data rendering device (DRD) and provide publicly accessible DRD capability information stored in the remote server, and wherein the at least one DRD is not previously assigned to the WD and its location not previously known to the WD or its user, and the at least one DRD is physically accessible to all WD users, wherein locating of at least one DRD is facilitated by said remote server in cooperation with the wireless cellular telecommunications network in accordance with at least one of a WD user profile and the geographic location of the WD;

receiving DRD location and capability information at the WD for at least one DRD located near the WD;

selecting a DRD with said WD for rendering data;

the network resource verifying operational readiness of the DRD selected by the WD and providing directions on the WD for the user to follow to physically locate the DRD selected with the WD if the DRD selected by the user is deemed operational, the directions provided to the WD based on the geographic location of the WD;

selecting data with the WD for rendering at the DRD once the DRD has been physically located by the user; and

providing the data from ~~at least one of a memory and email box~~ associated with the WD, at the request of said user of the WD, to the DRD for rendering; and entering a rendering command including a passcode at the DRD to render the data, wherein said DRD renders said data after the passcode entered by said user is verified by said DRD.

89. The method of claim 30 further comprising the steps of:

receiving at a network server a request associated with said WD for delivery of said data for rendering at said DRD;

determining if delivery of said data can be approved by at least one of said network and/or said DRD; and

if delivery is approved, said server processes the request including facilitating delivery of said data to said DRD.

90. The method of claim 89 further comprising the step of receiving said data from said server at said DRD.

91. The method of claim 90 wherein said data is received at said DRD via a data network supporting said DRD.

92. The method of claim 90 further comprising the step of rendering said data at said DRD following a rendering command received at said DRD by said WD.

94. The method of claim 92 wherein said rendering command includes decryption coding.

97. The method of claim 1 wherein said rendering command includes decryption coding.

98. The method of claim 1 wherein said commands enable WD user manipulation of said data during rendering of said data at said DRD using said WD.

99. The method of claim 98 wherein said DRD is at least one of: a presentation projector, a video display, and a photocopier.

100.(Amended) A method using a wireless cellular telecommunications network adapted for supporting wireless hand held device users in voice and data communications and with brokering data between handheld wireless devices and publicly accessible data rendering devices where physical locations for publicly accessible data rendering devices are not previously known to the wireless hand held device users, steps of the method carried out by a hand held wireless device user comprising:

providing a request over the wireless cellular telecommunication network from a handheld wireless device (WD) to a remote data network resource to locate

at least one publicly accessible data rendering device (DRD) and identify operational readiness and rendering capabilities for the at least one publicly accessible DRD matching user requested rendering capabilities also provided from the WD, said remote data network resource adapted to provide assistance to WD users to locate and assess publicly accessible DRDs by determining WD geographic location, locating at least one operational DRD located near the WD based on the WD geographic location and DRD rendering capabilities, and then identifying on the WD at least one DRD that is operational, matches user requested rendering capabilities and is geographically located near the WD;

receiving location information for at least one publicly accessible DRD at the WD from the network resource through the wireless cellular telecommunications network supporting wireless communication by the WD, said location information identifying at least one DRD geographically located near the WD that is operational and matches user rendering capabilities;

selecting only one DRD from the at least one publicly accessible DRD using the WD;

obtaining directions to the only one DRD using at least one of the WD, the wireless cellular telecommunications network, and GPS based on the geographic location of the WD;

selecting data for rendering at the DRD using the WD after the only one DRD is physically located; ~~and~~

transferring data using the WD to the DRD for rendering; and
entering a passcode to render the data, wherein said DRD renders said data after the passcode entered by said user is verified by said DRD.

105. The method of claim 100 wherein said commands enable the WD user to manipulate said data during its rendering at said DRD using said WD.

106. **(Amended)** A location based service method using data communications network resources to assist a user of a GPS-enabled hand held wireless device supported by a wireless cellular telecommunications network to

locate a publicly accessible data rendering device (DRD) whose location is not previously known to the user, the publicly accessible DRD comprising at least one of a printer, video monitor, an Internet Kiosk, a multimedia projector, or an ATM machine, the method comprising the steps of:

- receiving a user request provided over the wireless cellular telecommunications network from a user of the GPS-enabled hand held wireless device to a data communications network resource for assistance in locating a publicly accessible DRD based on geographic location information for the GPS-enabled wireless hand held device, rendering capabilities required by the user, and operational readiness of publicly accessible DRDs;

- the data communications network resource determining the geographic location of the GPS-enabled hand held wireless device;

- the data communications network resource using the geographic location of the GPS-enabled hand held wireless device to locate at least one publicly accessible DRD located near the GPS-enabled hand held wireless device that is operational and matches the rendering capabilities required by the user;

- the data communications network resource identifying the at least one publicly accessible DRD including its geographic and physical location to the GPS-enabled hand held wireless device;

- the user selecting only one publicly accessible DRD for rendering data; ~~and~~
the GPS-enabled hand held wireless device with the support of at least one of GPS and the wireless cellular telecommunications network providing the user directions to physically locate the only one publicly accessible DRD given the geographic location of the GPS-enabled hand held wireless device;

- receiving a request at a network server from said GPS-enabled hand held wireless device to retrieve data stored in memory associated with said GPS-enabled wireless hand held device and to transfer said data to the at least one publicly accessible DRD identified by the network resource; and

- said network server transferring said data to said at least one publicly accessible DRD in response to the request, wherein said at least one publicly accessible DRD receives said data from said network server and wherein said at

least one publicly accessible DRD renders the data received from the network server after further receiving a passcode entered by the user of the wireless hand held device being verified by said DRD.

110.**(Amended)** The method of claim ~~108~~-106 further comprising the step of said at least one publicly accessible DRD rendering said data it received from the network server after ~~further~~ receiving an infrared authorization signal from the wireless hand held device, said authorization signal including said passcode.

111.**(Amended)** The method of claim ~~108~~-106 further comprising the step of said at least one publicly accessible DRD rendering said data it received from the network server after ~~further~~ receiving a wireless authorization signal provided locally from the wireless hand held device, said authorization signal including said passcode.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MD S. ELAHEE whose telephone number is (571)272-7536. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MD S ELAHEE/
MD SHAFIUL ALAM ELAHEE
Primary Examiner
Art Unit 2614
August 7, 2009